

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

October 23, 2009 – Board Office

PRESIDING OFFICER

Dorsey Hall, Chair

ROLL CALL

Present:

Dorsey Hall, Chair
Paul Moore, Vice Chair
Loren Huff, Board Member
Sam E. Blackburn, Board Member
G. Herbert Pritchett, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel
Dennis Badger, Investigator

Chair, Dorsey Hall opened the meeting and welcomed the guest. The guests in attendance were Susie Helm and Tom Veit. A motion by Herbert Pritchett, second by Paul Moore and the Board unanimously approved the September 18, 2009 minutes.

EDUCATION

Motion by Paul Moore, second by Loren Huff and the Board unanimously agreed to approve the following education courses for fiscal year 2009-10:

- (1) The Appraisal Institute
 - (a) Online GIS – The Executive Overview – 7 hours CE Online
 - (b) Online Business Practice and Ethics – 5 hours CE Online
 - (c) International Valuation Congress 2009, Day 2 and Day 3
 - Understanding and Testing DCF Valuation Models – 3.5 hours CE
 - Trending & Graphical Analysis and Valuation Standards Around the World – 3.5 hours CE
 - 1) Global Property Taxation and 2) Consulting and Valuation to Hotel and Resort Industry Clients – 4 hours CE
- (2) Career Webschool

- (a) 2010 – 2011 Online National USPAP Update course – 7 hours CE Online
- (3) McKissock, LP
 - (a) National USPAP Update course 2010-2011 The Appraisal Foundation Version – 7 hours CE classroom
- (4) Dennis Badger & Associates, Inc.
 - (a) National USPAP Update course 2010-2011 The Appraisal Foundation Version – 7 hours CE classroomApprove the following courses with the stipulation all course materials is submitted to the Board.
 - (b) Managing Risk and Assignment Conditions- 7 hours
 - (c) Introduction to Green Properties – 7 hours
- (5) ICAN
 - (a) 101 Questions and Answers for Appraisers – 7 hours CE classroom

EXPERIENCE

Motion by Sam Blackburn, second by Herbert Pritchett and the Board unanimously agreed to accept staff recommendation and approve the following experience:

- (1) Connie Crain – Approve experience for Certified General
- (2) Patsy Gill – Approve experience for Certified Residential
- (3) Garret Kolb – Approve experience for Certified General
- (4) Deana O'Neal – Approve experience for Certified Residential
- (5) Patty Perry – Approve experience for Certified General
- (6) Derrick Scott – Approve experience for Certified General
- (7) Charlie J. Seifner – Approve experience for Certified Residential
- (8) Stephen Sherrard – Approve experience for Certified Residential
- (9) Donald Wyatt – Approve experience for Certified Residential

CERTIFICATION/LICENSURE

Motion by Sam Blackburn, second by Herbert Pritchett and the Board voted to approve a total of sixteen (16) individuals for certification/licensure.

- (1) Todd A. Augustine – Certified Residential
- (2) Michael Aytes – Certified Residential
- (3) Glen Randall Bell – Certified General – Reciprocal with California
- (4) Connie Crain – Certified General
- (5) Thomas W. Elkins – Certified Residential – Reciprocal with Texas
- (6) Jonathan R. Epling – Associate
- (7) Patsy Gill – Certified Residential

- (8) Cheryl Haddix – Associate
- (9) Garret Kolb – Certified General
- (10) Deana O'Neal – Certified Residential
- (11) Patty Perry – Certified General
- (12) Derrick Scott – Certified General
- (13) Charlie Seifner – Certified Residential
- (14) Stephen Sherrard – Certified Residential
- (15) Patricia F. Spencer – Associate
- (16) Donald Wyatt – Certified Residential

COMPLAINT

- A. Case Summary Flow Chart
- B. Dennis Badger – Report on the contractor activities
- C. The Board was advised there have been a total of 58 cases filed for 2009.
- D. The Board expressed great concern about any cases that exceed. The Board also expressed that the ASC requirement for completing cases are within one year of the Board receiving the cases.
- E. Larry Disney advised the Board all cases one year and over must be closed within the next 90 days if at all possible. He also stated that it is his responsibility to have the cases investigated and closed within one year when legally possible. He advised the Board that no case should carry over one year without legal action or other sufficient reasoning for a delay. Larry also advised the Board that ASC will be issuing a letter in what is and what is not acceptable for compliance within the one year.
- F. Case No. 09-08 – Jason L. Ferris – Motion by Paul Moore, second by Sam Blackburn and the Board approved the agreed order, whereby,
 - (1) Ferris shall receive credit for the 7 hour Supervisor/Associate Course completed in February 2009 in Louisville, KY.
 - (2) Ferris shall be fined the sum of \$300.00 with total amount due with the signed agreed order.
 - (3) Ferris agrees the Board shall review the associate log, if required, for a period of 2 years from the date of the agreed order.
- G. Case No. 08-74 and 08-75 – Ben Godbey – Motion by Sam Blackburn, second by Herbert Pritchett and the Board voted unanimously to dismiss with a leave to reinstate should respondent ever reapplies for a Kentucky license.
- H. Case No. 08-76 – Motion by Sam Blackburn, second by Paul Moore and the board voted unanimously to dismiss with a letter of caution.
- I. Case No. 08-77 – Motion by Herbert Pritchett, second by Sam Blackburn and the board voted unanimously to dismiss with a letter of caution.
- J. Case No. 08-78 – Motion by Paul Moore, second by Sam Blackburn and the board voted unanimously to dismiss with a letter of caution.

- K. Case No. 08-79 – Motion by Sam Blackburn, second by Paul Moore and the board voted unanimously to file a formal complaint and set for a hearing.
- L. Case No. 08-81 – Motion by Sam Blackburn, second by Loren Huff and the board voted unanimously to dismiss with a letter of caution.
- M. Case No. 08-85 – Motion by Paul Moore, second by Herbert Pritchett and the board voted unanimously to file a formal complaint and set for a hearing.
- N. Case No. 08-89- Motion by Sam Blackburn, second by Herbert Pritchett and the Board voted to dismiss the case based upon the fact that the appraisal report was completed prior to the previous agreed order and therefore was resolved by the terms of the agreed order.
- O. Case No. 08-59 –Motion by Herbert Pritchett, second by Sam Blackburn and the Board voted unanimously to dismiss the case. The Board advised Jim Grawe to send a letter to Grievant.
- P. Case No. 08-71 – Motion by Sam Blackburn, second by Loren Huff and the board voted unanimously to file a formal complaint and set for a hearing.
- Q. Case No. 08-80 –Motion by Sam Blackburn, second by Paul Moore and the board voted unanimously to file a formal complaint and set for a hearing.
- R. Case No. 08-82 – Motion by Sam Blackburn, second by Loren Huff and the board voted unanimously to file a formal complaint and set for a hearing.
- S. Case No. 08-83 – Motion by Paul Moore, second by Loren Huff and the board voted unanimously to file a formal complaint and set for a hearing.
- T. Case No. 08-45 and 08-46 – Keith Dalton – Motion by Sam Blackburn, second by Paul Moore and the Board voted unanimously to dismiss the case due to lack of evidence or proof that Mr. Dalton had knowledge of the alleged report being submitted to the bank.
- U. Hearing for Jack Nickerson – Jim Grawe will be preparing notice of hearing.
- V. Case No. 08-42 - Matt Miniard – Motion by Sam Blackburn, second by Paul Moore and the Board voted unanimously to dismiss the case.
- W. The Board discussed ASC Statement 10 – Cases should be completed within 1 year.
- X. The Board agreed that the five day letters will be sent out to respondent within 10 days of the Board meeting and should be mediated within 30 days of the Board meeting.
- Y. Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to set a hearing for the following individuals for noncompliance of an order of the Board (Richard Beckley, Johnny Johnson and Michael Shepherd).

MISCELLANEOUS

- A. Budget ending September 2009
- B. Comments and Suggestions on USPAP Reporting Requirements to ASB – The Board agreed with Larry Disney's comments and commended Larry on his comments
- C. 2010 – 2012 Budget Request – The Board approved the proposed budget
- D. Board Office Move – Motion by Sam Blackburn, second by Paul Moore and the Board agreed for the Board office to move to Richmond, KY at the courthouse annex.
- E. Settlement Statement (HUD-1)
- F. Regulation change to include the 2010 edition of USPAP
- G. Request from Thomas Mudd concerning agreed order requirement – Motion by Sam Blackburn, second by Paul Moore and the Board agreed Mr. Mudd may pay half of the penalty fine with the signed agreed order and the additional fine must be paid by November 30, 2009.
- H. Signing of an appraisal report

- I. Larry presented the Board with a Summary of the AARO conference.
- J. AQB complimented Dennis Badger on the investigator training course
- K. Larry Disney advised that many states are exploring the possibilities of changing their regulation to mirror Kentucky's completion of the National USPAP Update course.
- L. The Board acknowledged Lexington Board of Realtors for allowing us to use their meeting space.
- M. The Board discussed publishing final orders of hearings or the same information as reported to the ASC on the website. The discussion will be brought back to the Board after reviewing other state policies.
- N. The Board discussed fees, fines and administrative cost for cases.
- O. Legislation Update
 - AMC bill is on track and meetings have been set with legislatures.
 - Bill concerning the KREAB fees – Herbert Pritchett and Dorsey Hall will be meeting with legislators on this bill.
- P. Susie Helm reported that sales are up 9%.

NEW BUSINESS

- A. Mark Mitchell Hearing – October 28-29, 2009 – Has been postponed – Rescheduled for February 16-18, 2010.

The next Board meeting is scheduled for Friday, November 20, 2009 – 1:00 p.m. at the board office.

Motion by Paul Moore, second by Sam Blackburn and the Board voted unanimously to adjourn the meeting.



Chair



Staff Assistant